IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA ORANGEBURG DIVISION

Janet Patton,	`	
Plaintiff,)	C.A. No.: 5:11-1009-RBH
VS.))	ORDER
Michael J. Astrue, Commissioner of Social Security Administration, Defendant))	

Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) and 5 U.S.C. § 706 to obtain judicial review of the final decision of the Commissioner of Social Security ("Commissioner") denying her claim for Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI") pursuant to the Social Security Act ("the Act"). This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Kaymani D. West, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions.

See 28 U.S.C. § 636(b)(1).

The Plaintiff filed no objections to the Report and Recommendation, while the

Defendant filed a notice on June 11, 2012, that it would not file objections. [See Doc. # 27.]

In the absence of objections to the Report and Recommendation of the Magistrate Judge, this

Court is not required to give any explanation for adopting the recommendation. See Camby v.

Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court reviews only for clear error in the absence

of an objection. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310 (4th Cir.

2005) stating that "in the absence of a timely filed objection, a district court need not conduct

de novo review, but instead must 'only satisfy itself that there is no clear error on the face of

the record in order to accept the recommendation." (quoting Fed. R. Civ. P. 72 advisory

committee's note).

After a thorough review of the record in this case, the Court finds no clear error.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and

incorporated by reference. Therefore, it is

ORDERED that the Commissioner's decision is REVERSED and REMANDED for

further administrative action as detailed within the Magistrate's Report and Recommendation.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

Florence, South Carolina June 12, 2012

2